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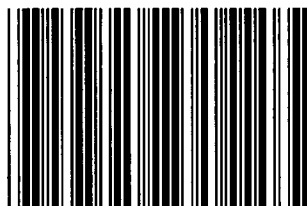

 **Labor**

(select subject from controlled vocabulary, if your office has one)

 **Remarks Before the Annual AFL-CIO State Convention**

 **07/01/1978**

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BAUCUS

REMARKS BY
CONGRESSMAN MAX BAUCUS
BEFORE THE
ANNUAL AFL-CIO STATE CONVENTION
HELENA, MONTANA
JULY 1, 1978

THANK YOU FOR INVITING ME TO BE WITH YOU TODAY.
IT'S GREAT TO BE BACK IN FRONT OF YOU AGAIN.

MONTANA LOST AN IMPORTANT FRIEND THIS YEAR.
THE VOID LEFT BY THE UNTIMELY DEATH OF LEE METCALF IS
GREAT, AND HIS SHOES WILL BE HARD TO FILL. HE WAS ALWAYS
CONCERNED WITH THE NEEDS OF WORKING AMERICANS, HIS RECORD
SHOULD SERVE AS AN INSPIRATION TO EVERYONE IN PUBLIC
SERVICE.

WE HEAR A LOT OF DEROGATORY TALK THESE DAYS FROM THE RIGHT WING ABOUT "BIG LABOR," AND "UNION BOSSES." CLEARLY, THOSE PROMOTING ANTI-LABOR CAUSES ARE NOT IN TOUCH WITH THE REAL WORKING WORLD. THERE ARE A LOT OF GOOD REASONS FOR LABOR UNIONS.

"THE FUNDAMENTAL REASON FOR LABOR ORGANIZATIONS IS THAT UNIONS ARE ESSENTIAL TO GIVE WORKING PEOPLE THE OPPORTUNITY TO DEAL ON AN EQUAL BASIS WITH THEIR EMPLOYERS

THESE WORDS ARE NOT MY OWN. THESE WORDS WERE WRITTEN BY THE SUPREME COURT SEVERAL DECADES AGO AND THEY SPEAK OF A FUNDAMENTAL TRUTH EVEN MORE SO TODAY. UNIONS ARE NECESSARY TO GIVE THE WORKER THE OPPORTUNITY TO DEAL ON AN EQUAL BASIS WITH THEIR EMPLOYERS.

IN SPITE OF THE NATIONAL LABOR RELATIONS ACT, SOME EMPLOYERS STILL FIND IT MORE EXPEDIENT TO VIOLATE THE LAW THAN TO COMPLY. UNION ELECTIONS ARE POSTPONED AND ORGANIZERS ARE FIRED.

THESE ANTI-UNION PRACTICES MUST BE STOPPED AND THIS COULD BE DONE THROUGH THE PASSAGE OF THE LABOR LAW REFORM ACT.

THIS IS THE SINGLE MOST IMPORTANT PIECE OF LABOR LEGISLATION TO COME BEFORE THE CONGRESS IN YEARS.

PASSAGE OF THIS BILL WOULD INSURE THAT LABOR ELECTIONS ARE HELD PROPERLY.

IT WOULD PROTECT WORKERS WHO ORGANIZE ON BEHALF OF A UNION. AND IT WOULD IMPOSE STRICT PENALTIES ON THE SMALL RIGHT WING MINORITY WHO ENGAGE IN ILLEGAL ANTI-UNION PRACTICES.

IN SHORT, IT WOULD PUT SOME MUCH NEEDED TEETH INTO THE NATIONAL LABOR RELATIONS ACT.

IN SPITE OF THE INTENSE LOBBYING AGAINST THE BILL A MAJORITY OF MY COLLEAGUES IN THE HOUSE JOINED ME IN SUPPORT OF THE LABOR LAW REFORM BILL LAST FALL.

BUT THE BILL HAS MET WITH STORMY SEAS IN THE SENATE. AFTER WEEKS OF DEBATE THERE ARE STILL NOT ENOUGH VOTES TO END THE FILIBUSTER AGAINST THE BILL. I AM PROUD TO SAY, THAT MONTANA'S SENATORS, JOHN MELCHER AND PAUL HATFIELD HAVE CONSISTENTLY VOTED TO END THIS FILIBUSTER. WE NEED TO PUSH HARD AND MAKE ALL SENATORS REALIZE THE GREAT NEED FOR THIS LEGISLATION.

AND THERE IS MUCH MORE THAT NEEDS TO BE DONE FOR THE BACKBONE OF OUR COUNTRY -- OUR WORKING MEN AND WOMEN.

THE ANTI-UNION LOBBY YEARNS TO SEE THE ENACTMENT OF A NATIONAL RIGHT-TO-WORK LAW. YOU CAN COUNT ON THEM TO FIGHT US ON EVERY PRO-LABOR PIECE OF LEGISLATION.

WE NEED THE REPEAL OF SECTION 14B. THIS WILL NOT BE EASY. THERE IS A GREAT PUBLIC MISUNDERSTANDING ABOUT THE FACTS OF THIS ISSUE. IT IS UP TO ALL OF US TO COUNTER THE FALSE AND MISLEADING ARGUMENTS THAT RIGHT-TO-WORK SUPPORTERS MAKE AGAINST REPEAL.

RIGHT-TO-WORK IS A CATCH PHRASE PURPOSELY USED TO MISLEAD THE PUBLIC. RIGHT-TO-WORK LAWS DO NOT GIVE EITHER THE UNION OR THE NON-UNION WORKER THE RIGHT TO OBTAIN OR KEEP A JOB. CONVERSELY, THE REPEAL OF 14B WILL NOT TAKE JOBS AWAY FROM WORKERS. IT WILL ALLOW FOR A UNION SHOP ONLY IF A MAJORITY OF WORKERS SUPPORT THIS TYPE OF ARRANGEMENT. IT WILL NOT FORCE UNIONIZATION ON WORKERS.

THOSE WHO ACCEPT THE BENEFITS WON BY UNIONS BUT OBJECT TO PAYING THEIR SHARE OF THE LOAD ARE CONSCIOUSLY SEEKING A FREE RIDE. THEY SHOULD BE REQUIRED TO PAY FOR THEIR SHARE OF THE BENEFITS RECEIVED.

THESE ARE THE ECONOMIC REALITIES OF RIGHT-TO-WORK LAWS. THE ABSENCE OF STRONG REPRESENTATIVES OF WORKING MEN ALLOW INDUSTRY TO PAY SUB-STANDARD WAGES AND THEREBY EXPLOIT WORKING MEN AND WOMEN.

THE FREEDOMS CONSTANTLY REFERENCED BY RIGHT-TO-WORK FORCES ARE REALLY THE FREEDOM OF EXPLOITATION, THE FREEDOM OF SUB-STANDARD WAGES, THE FREEDOM OF WANT, THE FREEDOM TO LINE CORPORATE POCKETS AT THE EXPENSE OF THOSE WHO HAVE BEEN DENIED THE RIGHT TO PROTECT THEMSELVES.

THE REPEAL OF 14B MUST BE ONE OF OUR TOP LEGISLATIVE PRIORITIES.

CONGRESS HAS TAKEN A FEW WOBBILY STEPS TOWARD THE REPEAL OF 14B IN RECENT YEARS. BUT MOST OF THE ACTIVITY INVOLVING THE TAFT-HARTLEY ACT HAS BEEN TO BRING NEW LABOR UNIONS UNDER COVERAGE OF THE LAW.

OUR MOST RECENT ATTEMPT TO EXPAND COVERAGE OF THE TAFT-HARTLEY WAS THE COMMON SITUS PICKETING BILL. I STOOD UP IN SUPPORT OF THIS MEASURE. UNFORTUNATELY, MANY OF MY COLLEAGUES TOOK SERIOUSLY THE HORROR STORIES THAT WERE CIRCULATED BY ANTI-UNION LOBBY ORGANIZATIONS.

THEY WERE TOLD THAT IF COMMON SITUS PICKETING WAS ALLOWED, BOTH PRICES AND UNEMPLOYMENT WOULD SKYROCKET. SMALL BUSINESSMEN WOULD BE DRIVEN INTO RUIN, AND THAT IT AMOUNTED TO SECONDARY BOYCOTTS-- WHICH ARE ILLEGAL.

THE CONSTRUCTION OF A BUILDING IS A SINGLE, COORDINATED AND INTEGRATED ECONOMIC ENTERPRISE. THEREFORE, CONSTRUCTION WORKERS SHOULD BE GIVEN THE RIGHT OF COMMON SITUS PICKETING. IN ADDITION, NO ONE HAS YET PROVEN THAT COMMON SITUS PICKETING WOULD ADVERSELY AFFECT THE CONSTRUCTION INDUSTRY.

INSTEAD, WE HAVE SOME OF OUR LEAST RESPONSIBLE CORPORATE CITIZENS MISLEADING BOTH THE PUBLIC AND MANY SMALLER, WELL-INTENTIONED AND HONORABLE BUSINESSMEN ABOUT A MYTHICAL PARADE OF HORRORS WHICH HAS NOTHING TO DO WITH THE REAL CONTENT OF BILLS.

I WOULD LIKE TO TAKE A MOMENT TO TALK ABOUT ANOTHER PROBLEM, CORPORATE CITIZENSHIP -- OR LACK OF IT -- RIGHT HERE IN MONTANA.

I'M SURE MANY OF YOU ARE AWARE OF SEVERAL CORPORATIONS WITH INTERESTS IN MONTANA THAT ARE THIS MOMENT EITHER REFUSING TO PAY OR CHALLENGING MAJOR PORTIONS OF THEIR TAXES.

MONTANA POWER HAS JOINED WITH A CONSORTIUM OF OTHER UTILITIES IN CHALLENGING THE LEGALITY OF MONTANA'S SEVERANCE TAX ON COAL. I AM PROUD OF THE STATE OF MONTANA AND ITS LEGISLATURE FOR DOING SUCH A GOOD JOB OF INSURING THROUGH ITS TAX POLICIES THAT THE PEOPLE OF MONTANA SHARE IN THE BOUNTY OF OUR COAL RESOURCES -- A GOOD PORTION OF WHICH IS BEING TOTALLY, AND IRREPARABLY REMOVED FROM OUR STATE.

I AM AWARE OF THE CIRCUMSTANCES WHICH LED MPC TO JOIN IN THIS SUIT. AT STAKE IN THIS LITIGATION IS A MAJOR REVENUE SOURCE FOR THE STATE OF MONTANA. IT IS ESTIMATED THAT THE COAL SEVERANCE TAX WILL GENERATE OVER \$100 MILLION IN THE NEXT TWO YEARS.

COAL SEVERANCE TAX IN MONTANA IS CLEARLY LEGAL. IT IS FAIR. IT REPRESENTS ONLY A TINY PORTION OF THE COST OF COAL. AND I THINK THESE UTILITIES -- ESPECIALLY MONTANA POWER -- SHOULD BE ASHAMED OF THEIR ACTIONS.

ANOTHER CORPORATE CITIZEN IN OUR STATE IS DOING A LESS THAN RESPONSIBLE JOB OF LIVING UP TO ITS DUTIES AS A CORPORATE CITIZEN. THIS IS MONTANA'S NEWEST MAJOR CORPORATION, THE ATLANTIC RICHFIELD COMPANY WHICH HAS PURCHASED THE ANACONDA COMPANY.

ATLANTIC RICHFIELD -- WHICH MANY OF YOU HAVE SEEN ON NATIONAL TELEVISION WITH ITS FINE COMMERCIALS PROMOTING CITIZEN RESPONSIBILITY -- IS NOT JUST CHALLENGING ITS TAXES: IT IS REFUSING TO PAY THEM. THIS IS CAUSING TREMENDOUS PROBLEMS FOR LOCAL GOVERNMENTS PARTICULARLY IN THE ANACONDA AREA.

IT STRIKES ME AS UNFAIR THAT THESE CORPORATIONS REFUSE TO PAY THEIR TAX UNTIL THE ENTIRE APPELATE REVIEW PROCESS IS FINISHED. YOU AND I ARE EXPECTED TO DO SOMETHING DIFFERENT. EACH MONTH WHEN WE ARE PAID, MONIES ARE TAKEN OUT OF OUR PAYCHECKS TO PAY STATE, FEDERAL AND OTHER TAXES. FOR THOSE OF US WHO ARE LUCKY ENOUGH TO OWN HOMES, WHEN WE PAY OUR MORTGAGE PAYMENTS, WE PUT INTO ESCROW THE FUNDS FOR LOCAL PROPERTY TAXES. THE SHORT OF THE MATTER IS THAT WE DON'T REFUSE TO PAY OUR TAXES. NO, WE FOLLOW A DIFFERENT COURSE. IF WE DECIDE THAT WE HAVE OVERPAID OR BEEN OVER-ASSESSED, AFTER WE PAY OUR TAXES, WE ASK FOR A REFUND. THAT STRIKES ME AS REASONABLE, AND I WOULD HOPE THAT THE CORPORATE ENTITIES IN THIS CASE WOULD FOLLOW THAT EXAMPLE.

WE ARE AWARE OF THE CURRENT ECONOMIC DOLDRUMS THAT THE AMERICAN COPPER COMPANIES FIND THEMSELVES IN. WE HAVE A WORLD GLUT OF COPPER ON THE MARKET AND THAT GLUT HAS CAUSED THE MARKET PRICE TO DROP BELOW THE COST OF PRODUCTION. YET, WE KNOW THAT ALL INDICATORS POINT TO A SUBSTANTIAL RALLYING OF THE WORLD PRICE OF COPPER. SINCE WE KNOW THAT, I DON'T THINK IT IS FAIR FOR THE COMPANIES TO TAKE IT OUT ON THEIR WORK FORCE NOW.

I KNOW THAT WE LIVE IN A PRIVATE ENTERPRISE SYSTEM, AND I AM HAPPY FOR THAT.

I KNOW THAT MANAGEMENT OF PRIVATE CORPORATIONS HAVE RESPONSIBILITY TO THEIR SHARE HOLDERS AND THOSE RESPONSIBILITIES HINGE IN GREAT PART ON THE PROFITABILITY OF THEIR CORPORATION.

BUT I ALSO KNOW THAT CORPORATIONS HAVE RESPONSIBILITIES TO THEIR WORKERS AND TO THEIR FAMILIES. IN RECENT YEARS I HAVE BEEN PARTICULARLY STRUCK BY THE CORPORATE MODEL OF RESPONSIBILITY FOLLOWED BY JAPANESE CORPORATIONS. WHEN THINGS GET TOUGH, THESE CORPORATIONS DON'T LAY OFF THEIR WORKERS. THEY KEEP THEM ON, FIND USEFUL WORK FOR THEM TO DO. AND THOSE ACTIONS ULTIMATELY LEAD TO SUBSTANTIALLY GREATER PROFITABILITY FOR THOSE CORPORATIONS BECAUSE THEY HAVE BUILT A TRULY LOYAL WORK FORCE.

MOST OF THE COPPER COMPANIES, INCLUDING ANACONDA, HAVE BUILT COMMUNITIES THAT WERE ESSENTIALLY DEPENDENT ON THE COPPER INDUSTRY. THESE COMMUNITIES OFFER VITAL PUBLIC SERVICES -- SCHOOLS, GOOD ROADS, LAW ENFORCEMENT, SOCIAL SERVICES, AND THE LIKE. FUNDING THESE SERVICES COMES FROM LOCAL PROPERTY TAXES, AND IT STRIKES ME AS UNFORTUNATE THAT ANACONDA DOESN'T ACT WITH THE SAME RESPONSIBILITY TOWARD THEIR WORKERS, WORKERS' FAMILIES, AND THE WORKERS' COMMUNITY THAT THEY LIVE IN AND ARE CERTAINLY A PART OF.

HOME OWNERS THROUGHOUT MONTANA PAY HIGH TAXES, YEAR AFTER YEAR. IN CALIFORNIA WE HAVE JUST WITNESSED A TAX REVOLT -- WHERE PEOPLE HAVE CHANGED THE LAW WHICH SETS THEIR TAXES.

THIS IS WHAT A DEMOCRACY IS ALL ABOUT.

BUT IN MONTANA WE ARE NOW FACED WITH MAJOR CORPORATIONS CHALLENGING THEIR TAXES AND IN SOME CASES REFUSING TO PAY THEM. THESE ARE LEGALLY PASSED TAXES JUST LIKE THOSE ALL THE REST OF US PAY. AND ALL THE REST OF US REGULAR CITIZENS HAVE TO MAKE UP THE LOSS OF REVENUES WHEN THOSE CORPORATE CITIZENS REFUSE TO PAY THEIR FAIR SHARE.

I HOPE THAT THIS MESSAGE IS HEARD TODAY, NOT JUST HERE, BUT IN SOME CORPORATE BOARD ROOMS. BY THE SAME OFFICIALS WHO HAVE AND WILL CONTINUE TO COME TO ME -- AND RIGHTFULLY SO -- TO EXPLAIN THEIR PROBLEMS SUCH AS COPPER IMPORTS AND THEIR POSITIONS ON SUCH THINGS AS FEDERAL UTILITY REGULATIONS.

AS ONE CITIZEN OF MONTANA TO ANOTHER, I CALL ON THESE CORPORATIONS TO DROP THEIR PROTEST AND GO TO THE LEGISLATURE OR LOCAL GOVERNMENTS WITH THEIR COMPLAINTS AND ARRIVE AT EQUITABLE SOLUTIONS.

THESE ARE JUST A FEW OF THE SERIOUS AND
COMPLEX PROBLEMS CONFRONTING MONTANA AND THE NATION.
NOW MORE THAN EVER WE MUST JOIN RANKS AND SUPPORT ONE
ANOTHER. THE RIGHT WING IS ON THE WAR PATH. AND WE
MUST CONTINUE TO WORK TOGETHER TO ACCOMPLISH OUR
COMMON GOALS. I PLEDGE TO YOU MY EFFORTS IN THIS
REGARD. I ASK FOR YOUR HELP AND YOUR CONTINUED SUPPORT.
WE MUST PRESENT A UNITED FRONT IF WE ARE TO SUCCEED.

THANK YOU VERY MUCH.